

U.S. Department
of Transportation

**United States
Coast Guard**



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Eighth Coast Guard District
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16711/APPEALS
15 April 1999

Mr. Ken Serigne
Houma Division Manager
Elevating Boats, Inc.
200 Dean Road
Houma, LA 70363

Dear Mr. Serigne:

I have reviewed your December 14, 1998 appeal of the decision of the Officer in Charge Marine Inspection (OCMI) Morgan City denying your request to have the liftboat DEWITT ELEVATOR (O.N. D567668) grandfathered as an existing offshore supply vessel (OSV). After carefully considering your arguments and the applicable laws and regulations, I have decided to grant your appeal.

The DEWITT ELEVATOR (O.N. D567668) is an 82 gross ton, 64 feet long, self-elevating vessel (liftboat) built in 1975. The vessel was originally certificated as an offshore supply vessel on February 22, 1991 under the provisions of Coast Guard Navigation and Inspection Circular (NVIC) 8-81, Change 1. The vessel subsequently changed service to an uninspected oceanographic research vessel. The vessel's Certificate of Inspection (COI) was not renewed when it expired on February 22, 1993. OCMI Morgan City is now requiring the DEWITT ELEVATOR to be inspected as a new vessel under 46 CFR Subchapter L to return to OSV service.

Your letter requests that the DEWITT ELEVATOR be allowed to return to service as an OSV and to be inspected under the provisions of NVIC 8-91 (the successor guidance to NVIC 8-81, Change 1). I agree with your argument that the DEWITT ELEVATOR is an existing offshore supply vessel under the provisions of 46 CFR Subchapter L. For an OSV to be considered "grandfathered" under 46 CFR Subchapter L, it must have been contracted for or the keel laid before March 15, 1996 and have received a COI before March 16, 1998. The DEWITT ELEVATOR meets these requirements. Consequently, the DEWITT ELEVATOR is considered an existing "grandfathered" OSV and may be inspected under the provisions of NVIC 8-91.

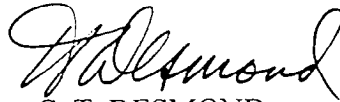
This determination of grandfather status does not relieve the DEWITT ELEVATOR from meeting regulatory requirements which would have been required had the vessel remained in OSV service. For instance, the lifesaving equipment and arrangement requirements for all OSVs were recently revised and moved into 46 CFR Subchapter L. You should review these requirements with OCMI Morgan City to determine whether any provisions apply retroactively to the DEWITT ELEVATOR. In addition, you should be aware that the DEWITT ELEVATOR

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could lose its status as a grandfathered vessel if it undergoes a significant alteration to its structure, equipment or systems that constitutes a "major conversion." Major conversion determinations are made on a case by case basis by the Coast Guard's Marine Safety Center in Washington, DC.

Please contact Lieutenant Commander Bill Daughdrill of my staff at (504) 589-6193 should you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "C. T. Desmond". The signature is fluid and cursive, with the first name "C. T." being more prominent than the last name "Desmond".

C. T. DESMOND

Captain, U.S. Coast Guard

Chief, Marine Safety Division

By direction of the Commander

Eighth Coast Guard District

Copy: OCMI Morgan City
Commandant (G-MOC)